



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 18, 1998

Ms. Leah Curtis Morris
Law Offices of Harold F. Curtis, Jr.
2708 Washington Street
Greenville, Texas 75401

OR98-0751

Dear Ms. Morris:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 114264.

The City of Greenville (the "city"), which you represent, received a request for the statement the requestor made in connection with an assault that allegedly occurred on July 1, 1994. You state that you have provided the requestor with the front page offense report information. *See generally* Gov't Code § 552.108(c); *Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). You contend that the remaining portions of the offense report, including the requestor's statement, are excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

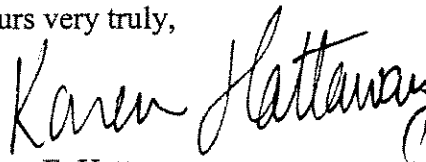
Section 552.108 of the Government Code provides in relevant part:

(a) [i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from the requirements of 552.021 if: (1) release of the information would interfere with the detection, investigation or prosecution of crime; [or] (2) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication

We understand from your letter that the requested information relates to a case that did not result in conviction or deferred adjudication. Thus, we conclude that the city may withhold the information at issue from disclosure under section 552.108(a)(2).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Karen Hattaway". The signature is written in a cursive, flowing style.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 114264

Enclosures: Submitted documents

cc: Ms. Rebecca D. Miller
913 Maple St.
Commerce, Texas 75428
(w/o enclosures)